

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

JOHN VIGIL,

Plaintiff,

v.

Case No. 1:16-CV-00067-JB-LF

THE CITY OF ESPANOLA and
OFFICER GREG ESPARZA, in his
official and individual capacities,

Defendants.

AFFIDAVIT OF DEWAYNE ZIMITSKI

STATE OF NEW MEXICO)
) ss:
COUNTY OF SANTA FE)

I, Dewayne Zimitski, Affiant state:

1. I am a process server and I am over 18 years old.
2. On October 28, 2105, I received Summonses and a Complaint in the *Vigil v. Esparza* case.
3. Upon reviewing the papers, I proceeded to serve the City of Española and Officer Esparza.
4. I went to the City Clerk's office and once there, I asked whether City Clerk Anna Squires was present.
5. The City Clerk's Agent advised me that the City Clerk was not present. She further advised me that she was authorized to accept any and all papers.

6. I first provided the Summons (issued to the City of Española) and Complaint. We completed the return of service and had the document signed.

7. I asked where the police station was located. The City Clerk's Agent advised me that she was authorized to accept service on behalf of individual officers.

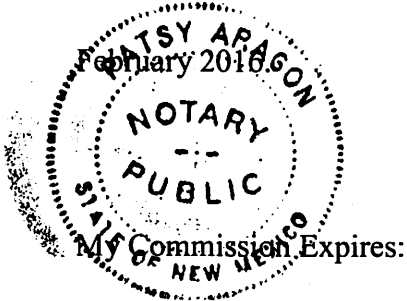
8. I confirmed that she could accept service and provided the Summons (issued to Officer Esparza) and Complaint to the City Clerk's Agent. The Summons was signed and she assured me that the documents would be provided to the appropriate people.


9. I specifically asked whether I should go over to the police officers' building and was advised that there was no need to go to the police station because the City Clerk's office accepted service.

Dewayne Zimitski, Affiant, first duly sworn, states upon oath that all of the representations in this Affidavit are true as far as Affiant knows or is informed, and that such Affidavit is true, accurate and complete to the best of Affiant's knowledge and belief.


Dewayne Zimitski

SUBSCRIBED AND SWORN TO before me by Dewayne Zimitski this 10th day of




NOTARY PUBLIC